

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

DANNY DONOHUE, as President of the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, and CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL 1000, AFSCME, AFL-CIO, and MILO BARLOW, THOMAS JEFFERSON, CORNELIUS KENNEDY, JUDY RICHARDS, and HENRY WAGONER, on behalf of themselves and certain other RETIREES of the STATE OF NEW YORK formerly in the CSEA BARGAINING UNITS,

11-cv-1530

MAD/CFH

*Plaintiffs,*

**DECLARATION OF  
HELENA LYNCH**

-against-

ANDREW M. CUOMO, in his official capacity as Governor of the State of New York, PATRICIA A. HITE, individually, and in her official capacity as Acting Commissioner, New York State Civil Service Department, CAROLINE W. AHL and J. DENNIS HANRAHAN, in their official capacities as Commissioners of the New York State Civil Service Commission, ROBERT L. MEGNA, individually, and in his official capacity as Director of the New York State Division of the Budget, and THOMAS P. DiNAPOLI, in his official capacity as Comptroller of the State of New York, JONATHAN LIPPMAN, his official capacity as Chief Judge of the New York State Unified Court System,

*Defendants.*

HELENA LYNCH, an attorney duly authorized to practice before this Court, declares, under penalty of perjury, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an Assistant Attorney General in the Office of ERIC T. SCHNEIDERMAN, Attorney General of the State of New York, attorney for Defendants in the above-captioned action. I submit this declaration in support of the Defendants' motion for an order pursuant to Rule 56 of the Federal Rules of Civil Procedure granting summary judgment in their favor and

dismissing each and every cause of action asserted the Amended Complaint dated February 14, 2012, for the limited purpose of submitting the Exhibits cited in the Memorandum of Law in Support of Defendants' Motion for Summary Judgment, and in Defendants' Local Rule 7.1 Statement..

2. Annexed hereto as **Exhibit 1** is a true and correct copy of a press release entitled "Governor Andrew Cuomo Announces Five Year Labor Agreement with Civil Service Employees Association, dated June 22, 2011.

3. Annexed hereto as **Exhibit 2** is a true and correct copy of excerpts of the Agreement Between the Civil Service Employees Association, Inc. and The State of New York, for 2011-16, Administrative Services Unit ("2011-16 CBA").

4. Annexed hereto as **Exhibit 3** is a true and correct copy of Senate Bill 5846, Assembly bill 8513.

5. Annexed hereto as **Exhibit 4** is a true and correct copy of excerpts of the Agreement Between the Civil Service Employees Association, Inc. and The State of New York, for 2007-2011, Administrative Services Unit ("2007-11 CBA").

6. Annexed hereto as **Exhibit 5** is a true and correct copy of excerpts of the Agreement Between the Civil Service Employees Association, Inc. and The State of New York, for 2003-2007, Administrative Services Unit ("2003-07 CBA").

7. Annexed hereto as **Exhibit 6** is a true and correct copy of excerpts of the Agreement Between CSEA, Inc., Local 1000 AFSCME, AFL-CIO and The State of New York, for 1999-2003, Administrative Services Unit ("1999-2003 CBA").

8. Annexed hereto as **Exhibit 7** is a true and correct copy of excerpts of the Agreement Between the Civil Service Employees Association, Inc. and The State of New York, for 1995-1999, Administrative Services Unit (“1995-99 CBA”).

9. Annexed hereto as **Exhibit 8** is a true and correct copy of excerpts of the Agreement Between the Civil Service Employees Association, Inc. and The State of New York, for 1991-1995, Administrative Services Unit (“1991-95 CBA”).

10. Annexed hereto as **Exhibit 9** is a true and correct copy of excerpts of the Agreement Between the Civil Service Employees Association, Inc. and The State of New York, for 1988-1991, Administrative Services Unit (“1988-91 CBA”).

11. Annexed hereto as **Exhibit 10** is a true and correct copy of excerpts of the Agreement Between the State of New York and the Civil Service Employees Association, Inc. Administrative Services Unit, for 1985-88 (“1985-88 CBA”).

12. Annexed hereto as **Exhibit 11** is a true and correct copy of excerpts of the Agreement Between the State of New York and the Civil Service Employees Association, Inc. Administrative Services Unit, for 1982-85 (“1982-85 CBA”).

13. Annexed hereto as **Exhibit 12** is a true and correct copy of a letter from Patricia A. Hite to Robert L. Megna (Sept. 21, 2011).

14. Annexed hereto as **Exhibit 13** is a true and correct copy of a Resolution, adopting amendments to subdivision (b) of section 73.3 of Title 4 of NYCRR, and section 73.12 of Title 4 NYCRR.

15. Annexed hereto as **Exhibit 14** is a true and correct copy of the Certification, dated September 27, 2011, that the amendments to sections 73.3(b) and 73.12 of Title 4 NYCRR were adopted on an emergency basis for the reasons state therein.

16. Annexed hereto as **Exhibit 15** is a true and correct copy of the Governor's Program Bill, Chapter 14 of the Laws of 1983.

17. Annexed hereto as **Exhibit 16** is a true and correct copy of the Designation of Deputy, dated and filed with the Department of State on December 22, 2010.

Dated: November 3, 2017  
Albany, New York

/s/ *Helena Lynch*  
HELENA LYNCH